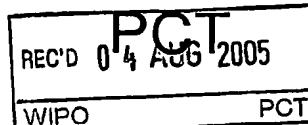


PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2005/001511

International filing date (day/month/year)
20.04.2005

Priority date (day/month/year)
23.04.2004

International Patent Classification (IPC) or both national classification and IPC
H04L29/06, H04M7/00, H04M3/42, H04Q3/00

Applicant
BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Catley, I

Telephone No. +49 89 2399-7201



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/001511

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/001511

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-9
	No: Claims	
Inventive step (IS)	Yes: Claims	1-9
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item VIII

Certain observations on the international application

- 1.1 **Claim 1**, despite being directed to a system, includes many features which have been defined in terms of the system's temporal operation ("*being responsive ... to cause ... sending ... sends ... forcing ... etc.*"), which renders obscure the scope of protection sought (Article 6 PCT). To comply with the stipulations of the Article 6 PCT, the subject-matter of claims to a system must be clearly defined in terms of its structural features (e.g. "comprising x arranged to ..., y adapted to, and means for ...").
- 1.2 Furthermore, it is vague what is being referred to as "*action embedded in the first instruction*". An entity (e.g. the SSP) may perform an action based on a received instruction but an action cannot be embedded in an instruction.
- 1.3 Moreover, it is ambiguous as to what is entailed in "*forcing a response from the service switching point*" and "*an identity ... is captured by the service control point*". These features are open to a multitude of interpretations e.g. the "*response*" could be read as being the initiation of the call, and similarly the identity could be "*captured*" from anywhere. Especially since these actions (i.e. the return of a backward message from the SSP to the SCP containing an identity, which is stored by the SCP) are core to the invention, they should be explicitly and clearly defined in terms of the means which are designed to carry them out.
2. In **claim 8**, reference is made to "~~the~~ *the connectionless network*", which has no antecedent except when the claim is dependent on claim 2. There is also no antecedent for "*the connection oriented network*".
3. The dependence of **claim 9** is not clearly defined by the phrase "*as in any preceding claim 8*".